

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Roger Terry #341358

v.

Case No.: ELH-11-1686

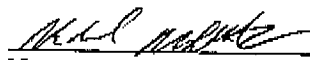
DPSCS, et al.

DECLARATION

I, Michael Middleton, do hereby declare under the penalty of perjury the following is true and correct to the best of my knowledge and belief:

1. I am competent to testify to the following facts on the basis of my personal knowledge.
2. I am a Correctional Officer Sergeant at the Western Correctional Institution (WCI), employed by the Maryland Division of Correction (DOC) in Cumberland, Maryland. I have been employed by the DOC for approximately 14 years.
3. I am familiar with the case involving Mr. Terry. I confiscated a suspected quantity of a controlled dangerous substance (CDS) from Mr. Terry on July 29, 2008. It was known at that time inmates were attempting to pass CDS concealed in coffee grinds at WCI, but coffee grinds would have no effects on the outcome of the NIK test results. I confiscated a black tar like substance from Mr. Terry that was wrapped in saran wrap and weighted approximately 7.43 grams. I took the suspected CDS to Officer P. Shields, who was certified to perform NIK testing at WCI. The substance tested positive for amphetamines. The substance was then placed in the contraband locker and IIU was contacted for follow-up State Police Testing by supervision. I wrote Mr. Terry an institutional adjustment for violating rules #112 and #114, which are possession of CDS and possession of CDS in sufficient quantity to reasonable suggest distribution.

I have read the above statements and hereby declare with the penalty of perjury that the foregoing is true and correct.


Name: Michael Middleton
Title: Correctional Officer Sergeant

12-15-11
Date